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Attorneys for Defendants Jennifer Wilkov
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
SCOTT CHARNEY, ET AL.,	:	
	:	Case No. 07 CV 6272
Plaintiffs,	:	(AKH)
	:	
-against-	:	ECF Case
	:	
CARLA ZIMBALIST, ET AL.,	:	
	:	
Defendants.	:	
-----X		

**REPLY DECLARATION OF THOMAS M. CAMPBELL IN SUPPORT OF
THE MOTION OF DEFENDANTS JENNIFER WILKOV AND
EVOLUTIONARY STRATEGIC PLANNING, INC. TO STAY PENDING
RESOLUTION OF ONGOING CRIMINAL PROCEEDINGS**

THOMAS M. CAMPBELL, of full age, declares as follows in accordance with
28 U.S.C. § 1746:

1. I am a member of Smith Campbell, LLP, attorneys for defendants Jennifer Wilkov ("Ms. Wilkov") and Evolutionary Strategic Planning, Inc. ("ESP"). I submit this declaration in support of the motion of Ms. Wilkov and ESP to stay these civil proceedings against them pending resolution of an ongoing criminal case filed in New York County by the Manhattan District Attorney and captioned *People v. Carla Zimbalist, et al.*, Indictment Number 2765/2007.

2. Attached as Exhibit G is a copy of a stipulation entered into between counsel for Plaintiffs and counsel for Ms. Wilkov and ESP pursuant to which, in exchange for an extension of time to respond to the complaint, Ms. Wilkov and ESP consent to waive objections based upon service of process. This is the only extension of time granted by Plaintiffs to Ms. Wilkov and ESP.

3. The Order to Show Cause and Temporary Restraining Order ("TRO") entered by Honorable Martin Schulman in the Supreme Court of the State of New York, Queens County, on July 3, 2007 remains in effect.

I hereby declare subject to the penalty for perjury under the laws of the United States of America that the foregoing is true and correct, except where stated to be on information and belief and as to such matters I believe they are true and correct.

Executed this 4th day of October, 2007

/s/ Thomas M. Campbell

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Jennifer S. Wilkov and Evolutionary
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Exhibit A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SCOTT CHARNEY, ET AL.,

Plaintiffs,

-against-

CARLA ZIMBALIST, ET AL.,

Defendants.
-----X

Case No. 07 CV 6272
(AKH)

STIPULATION

ECF Case

IT IS HEREBY STIPULATED AND AGREED, between the undersigned counsel for the parties, that the time of defendants Jennifer S. Wilkov ("Wilkov") and Evolutionary Strategic Planning ("ESP") to answer, move or otherwise respond to the Complaint is hereby extended until September 14, 2007. IT IS FURTHER AGREED THAT WILKOV AND ESP WAIVE DEFENSES BASED UPON SERVICE OF PROCESS.
Dated: New York, New York
August 24, 2007

BRODY, O'CONNOR, O'CONNOR, ESQS.

SMITH CAMPBELL, LLP

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